

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

**IN RE: JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES PRACTICES,
AND PRODUCTS LIABILITY
LITIGATION**

This Document Relates to All Cases Filed
Against Defendant Personal Care Products
Council

Civil Action No. 3:16-md-2738-FLW-LHG

MDL No. 2738

CERTIFICATION OF MICHELLE A. PARFITT, ESQ.

Michelle A. Parfitt, Esq., hereby certifies as follows:

1. I am an attorney at law and member of the law firm of Ashcraft & Gerel, LLP. I was appointed as Co-Lead Counsel to represent all Plaintiffs in the above-captioned matter.
2. I submit this Certification based on personal knowledge in support of the Plaintiffs' Steering Committee's Opposition to Defendant Personal Care Product Council's Motion for Summary Judgment.
3. Attached hereto as Exhibit 1 is a true and correct copy of Bates Number CPC-POLAKOWTRSCPT00000266. (*filed under seal*)
4. Attached hereto as Exhibit 2 is a true and correct copy of Bates Number JNJ000254100. (*filed under seal*)
5. Attached hereto as Exhibit 3 is a true and correct copy of Bates Number CPC-POLAKOWTRSCPT00000326. (*filed under seal*)
6. Attached hereto as Exhibit 4 is a true and correct copy of Bates Number WCD000081. (*filed under seal*)

7. Attached hereto as Exhibit 5 is a true and correct copy of Bates Number
WCD000200. (*filed under seal*)

8. Attached hereto as Exhibit 6 is a true and correct copy of Bates Number
JNJ000307294. (*filed under seal*)

9. Attached hereto as Exhibit 7 is a true and correct copy of Bates Number
JNJ000089586. (*filed under seal*)

10. Attached hereto as Exhibit 8 is a true and correct copy of Bates Number
JNJ000029681. (*filed under seal*)

11. Attached hereto as Exhibit 9 is a true and correct copy of Bates Number
JNJ000036430. (*filed under seal*)

12. Attached hereto as Exhibit 10 is a true and correct copy of Bates Number
JNJ000036440. (*filed under seal*)

13. Attached hereto as Exhibit 11 is a true and correct copy of Bates Number
JNJ000058415. (*filed under seal*)

14. Attached hereto as Exhibit 12 is a true and correct copy of Bates Number
PCPC0080419. (*filed under seal*)

15. Attached hereto as Exhibit 13 is a true and correct copy of Bates Number
JNJ000011704.

16. Attached hereto as Exhibit 14 is a true and correct copy of Bates Number
JNJ000022756. (*filed under seal*)

17. Attached hereto as Exhibit 15 is a true and correct copy of Bates Number
JNJ000023178. (*filed under seal*)

18. Attached hereto as Exhibit 16 is a true and correct copy of Bates Number
PCPC0075236. *(filed under seal)*

19. Attached hereto as Exhibit 17 is a true and correct copy of Bates Number
PCPC0080396. *(filed under seal)*

20. Attached hereto as Exhibit 18 is a true and correct copy of Bates Number
PCPC_MDL00028357. *(filed under seal)*

21. Attached hereto as Exhibit 19 is a true and correct copy of Bates Number
IMERYS240345. *(filed under seal)*

22. Attached hereto as Exhibit 20 is a true and correct copy of Bates Number
IMERYS239856. *(filed under seal)*

23. Attached hereto as Exhibit 21 is a true and correct copy of Bates Number
JNJ000001864. *(filed under seal)*

24. Attached hereto as Exhibit 22 is a true and correct copy of Bates Number
IMERYS288396. *(filed under seal)*

25. Attached hereto as Exhibit 23 is a true and correct copy of Bates Number
IMERYS288390. *(filed under seal)*

26. Attached hereto as Exhibit 24 is a true and correct copy of Bates Number
PCPC_MDL00029273. *(filed under seal)*

27. Attached hereto as Exhibit 25 is a true and correct copy of Bates Number
PCPC_MDL00027958. *(filed under seal)*

28. Attached hereto as Exhibit 26 is a true and correct copy of Exhibit 3 to the
Deposition of Mark Pollak taken on Aug. 29, 2018.

29. Attached hereto as Exhibit 27 is a true and correct copy of Bates Number
PCPC_MDL00026142. *(filed under seal)*

30. Attached hereto as Exhibit 28 is a true and correct copy of Bates Number
PCPC_MDL00028481. *(filed under seal)*

31. Attached hereto as Exhibit 29 is a true and correct copy of Bates Number
PCPC_MDL00028665. *(filed under seal)*

32. Attached hereto as Exhibit 30 is a true and correct copy of Bates Number
PCPC_MDL00020804. *(filed under seal)*

33. Attached hereto as Exhibit 31 is a true and correct copy of Bates Number
PCPC_MDL00028677. *(filed under seal)*

34. Attached hereto as Exhibit 32 is a true and correct copy of Bates Number
IMERYS095244. *(filed under seal)*

35. Attached hereto as Exhibit 33 is a true and correct copy of Bates Number
JNJ000016566. *(filed under seal)*

36. Attached hereto as Exhibit 34 is a true and correct copy of Bates Number
PCPC0035731. *(filed under seal)*

37. Attached hereto as Exhibit 35 is a true and correct copy of Bates Number
IMERYS178944.

38. Attached hereto as Exhibit 36 is a true and correct copy of NTP Summary
Minutes, Dec. 13-15, 2000.

39. Attached hereto as Exhibit 37 is a true and correct copy of Bates Number
JNJ000373701. *(filed under seal)*

40. Attached hereto as Exhibit 38 is a true and correct copy of Bates Number CPC-
NYCALTRSCPCT00009958. *(filed under seal)*

41. Attached hereto as Exhibit 39 is a true and correct copy of Bates Number
PCPC_MDL00010215. *(filed under seal)*

42. Attached hereto as Exhibit 40 is a true and correct copy of Bates Number
JNJ000388775. *(filed under seal)*

43. Attached hereto as Exhibit 41 is a true and correct copy of Bates Number
PCPC0035754. *(filed under seal)*

44. Attached hereto as Exhibit 42 is a true and correct copy of Bates Number
Weinberg Group 0004-0006. *(filed under seal)*

45. Attached hereto as Exhibit 43 is a true and correct copy of an excerpt of
Deposition of Linda Loretz taken on Jul. 18, 2018 at 112:6-114:7.

46. Attached hereto as Exhibit 44 is a true and correct copy of Bates Number
JNJ000564167. *(filed under seal)*

47. Attached hereto as Exhibit 45 is a true and correct copy of Bates Number
JNJ000013664. *(filed under seal)*

48. Attached hereto as Exhibit 46 is a true and correct copy of Bates Number
PCPC0077968. *(filed under seal)*

49. Attached hereto as Exhibit 47 is a true and correct copy of Bates Number
PCPC_MDL00010631. *(filed under seal)*

50. Attached hereto as Exhibit 48 is a true and correct copy of an excerpt of
Deposition of Mark Pollak taken on Feb. 18, 2016 at 16:24-17:9.

51. Attached hereto as Exhibit 49 is a true and correct copy of an excerpt of Deposition of Linda Loretz taken on Jan. 8, 2016 at 40:13-15.

52. Attached hereto as Exhibit 50 is a true and correct copy of an excerpt of Deposition of Linda Loretz taken on Oct. 2, 2018 at 834:20-835:2.

53. Attached hereto as Exhibit 51 is a true and correct copy of Bates Number PCPC_MDL00015232. (*filed under seal*)

54. Attached hereto as Exhibit 52 is a true and correct copy of the 2003 Annual Report for PCPC.

55. Attached hereto as Exhibit 53 is a true and correct copy of Bates Number IMERYS3619465. (*filed under seal*)

56. Attached hereto as Exhibit 54 is a true and correct copy of Bates Number IMERYS329339. (*filed under seal*)

57. Attached hereto as Exhibit 55 is a true and correct copy of Bates Number JNJ000384773. (*filed under seal*)

58. Attached hereto as Exhibit 56 is a true and correct copy of Bates Number IMERYS280641. (*filed under seal*)

59. Attached hereto as Exhibit 57 is a true and correct copy of Bates Number MDL_KELLY00017302.

60. Attached hereto as Exhibit 58 is a true and correct copy of the Cosmetic Ingredient Review Expert Panel from December 10-11, 2012.

61. Attached hereto as Exhibit 59 is a true and correct copy of Bates Number MBS-CRE000191.

62. Attached hereto as Exhibit 60 is a true and correct copy of Bates Number IMERYS226115. *(filed under seal)*

63. Attached hereto as Exhibit 61 is a true and correct copy of Bates Number IMERYS065205. *(filed under seal)*

64. Attached hereto as Exhibit 62 is a true and correct copy of Bates Number PCPC0011431. *(filed under seal)*

65. Attached hereto as Exhibit 63 is a true and correct copy of Bates Number PCPC0011582. *(filed under seal)*

66. Attached hereto as Exhibit 64 is a true and correct copy of Bates Number PCPC0011835. *(filed under seal)*

67. Attached hereto as Exhibit 65 is a true and correct copy of Bates Number JNJ000490528.

68. Attached hereto as Exhibit 66 is a true and correct copy of Bates Number IMERYS149314. *(filed under seal)*

69. Attached hereto as Exhibit 67 is a true and correct copy of Bates Number MVS-CRE000031.

70. Attached hereto as Exhibit 68 is a true and correct copy of Bates Number MBS-CRE0002171-272 - Kelly email, April 15, 2013.

71. Attached hereto as Exhibit 69 is a true and correct copy of Bates Number PCPC_MDL00031603. *(filed under seal)*

72. Attached hereto as Exhibit 70 is a true and correct copy of Bates Number PCPC0052415. *(filed under seal)*

73. Attached hereto as Exhibit 71 is a true and correct copy of Exhibit 10 to the Deposition of Linda Loretz taken on Jul. 18, 2018. (*filed under seal*)

74. Attached hereto as Exhibit 72 is a true and correct copy of the Declaration of Mark Pollak, filed in *Simpson v. Johnson & Johnson, et al.*

75. Attached hereto as Exhibit 73 is a true and correct copy of:
<http://www.personalcarecouncil.org/member-benefits>.

76. Attached hereto as Exhibit 74 is a true and correct copy of:
<http://www.personalcarecouncil.org/legislation-regulation/legislative-advocacy>.

77. Attached hereto as Exhibit 75 is a true and correct copy of an excerpt of Deposition of Mark Pollak taken on Aug. 29, 2018 at 105:15-106:1.

78. Attached hereto as Exhibit 76 is a true and correct copy of the PCPC's Form 990 (2014).

79. Attached hereto as Exhibit 77 is a true and correct copy of the Declaration of Mark Pollak, filed in *Linda Nard v. Johnson & Johnson, et al.*

80. Attached hereto as Exhibit 78 is a true and correct copy of the DC Council, Committee on Public Safety & the Judiciary, Report on Bill 18-893, Nov. 18, 2010.

81. Attached hereto as Exhibit 79 is a true and correct copy of the Testimony of Arthur Spitzer, ACLU submitted to Committee on Public Safety & the Judiciary, Sept. 17, 2010.

82. Attached hereto as Exhibit 80 is a true and correct copy of Hearing Transcript on Jan. 13, 2017 in *Simpson v. Johnson & Johnson, et al.* at 39:19-24, 43:7-9.

83. Attached hereto as Exhibit 81 is a true and correct copy of Bates Number PCPC_MDL00007402. (*filed under seal*)

84. Attached hereto as Exhibit 82 is a true and correct copy of:

<https://www.cosmeticsdesign.com/Article/2020/30/10/The-PCPC-s-focus-on-science-safety-and-sustainability>.

85. Attached hereto as Exhibit 83 is a true and correct copy of Bates Number JNJ000281901.

86. Attached hereto as Exhibit 84 is a true and correct copy of Bates Number IMERYS137726.

87. Attached hereto as Exhibit 85 is a true and correct copy of Bates Number JNJ000218562. *(filed under seal)*

88. Attached hereto as Exhibit 86 is a true and correct copy of Bates Number PCPC0073585. *(filed under seal)*

89. Attached hereto as Exhibit 87 is a true and correct copy of Bates Number PCPC0075387. *(filed under seal)*

90. Attached hereto as Exhibit 88 is a true and correct copy of Bates Number JNJ000021286. *(filed under seal)*

91. Attached hereto as Exhibit 89 is a true and correct copy of Bates Number IMERYS210870. *(filed under seal)*

92. Attached hereto as Exhibit 90 is a true and correct copy of Bates Number JNJ000053072.

93. Attached hereto as Exhibit 91 is a true and correct copy of Bates Number PCPC0066819.

94. Attached hereto as Exhibit 92 is a true and correct copy of Bates Number JNJ000016158.

95. Attached hereto as Exhibit 93 is a true and correct copy of Bates Number IMERYS-A_0011817.

96. Attached hereto as Exhibit 94 is a true and correct copy of Bates Number PCPC_MDL00010250. *(filed under seal)*

97. Attached hereto as Exhibit 95 is a true and correct copy of Bates Number PCPC_MDL00015287. *(filed under seal)*

98. Attached hereto as Exhibit 96 is a true and correct copy of Bates Number PCPC_MDL00030856. *(filed under seal)*

99. Attached hereto as Exhibit 97 is a true and correct copy of Bates Number PCPC_MDL00044793. *(filed under seal)*

100. Attached hereto as Exhibit 98 is a true and correct copy of Bates Number JNJ000031001. *(filed under seal)*

101. Attached hereto as Exhibit 99 is a true and correct copy of Bates Number JNJ000011933.

102. Attached hereto as Exhibit 100 is a true and correct copy of Bates Number PCPC0066630. *(filed under seal)*

103. Attached hereto as Exhibit 101 is a true and correct copy of Bates Number PCPC0072893. *(filed under seal)*

104. Attached hereto as Exhibit 102 is a true and correct copy of Bates Number PCPC_MDL00103539. *(filed under seal)*

105. Attached hereto as Exhibit 103 is a true and correct copy of Bates Number PCPC_MDL00023425. *(filed under seal)*

106. Attached hereto as Exhibit 104 is a true and correct copy of Bates Number PCPC_MDL00092069.

107. Attached hereto as Exhibit 105 is a true and correct copy of Bates Number PCPC_MDL00020026. (*filed under seal*)

108. Attached hereto as Exhibit 106 is a true and correct copy of Bates Number PCPC_MDL00022149. (*filed under seal*)

109. Attached hereto as Exhibit 107 is a true and correct copy of Wehner et al., *Do Particles Translocate From the Vagina to the Oviducts and Beyond?* 23 Fd. Chem. Toxic. 367 (1985).

110. Attached hereto as Exhibit 108 is a true and correct copy of Wehner et al., *On Talc Translocation From the Vagina to the Oviducts and Beyond*, 24 Fd. Chem. Toxic. 329 (1986).

111. Attached hereto as Exhibit 109 is a true and correct copy of Bates Number PCPC_MDL00015494. (*filed under seal*)

112. Attached hereto as Exhibit 110 is a true and correct copy of Bates Number PCPC0061912. (*filed under seal*)

113. Attached hereto as Exhibit 111 is a true and correct copy of Bates Number PCPC0027850. (*filed under seal*)

114. Attached hereto as Exhibit 112 is a true and correct copy of Bates Number IMERYS125259. (*filed under seal*)

115. Attached hereto as Exhibit 113 is a true and correct copy of Bates Number PCPC0072694. (*filed under seal*)

116. Attached hereto as Exhibit 114 is a true and correct copy of Bates Number JNJTALC000071142. *(filed under seal)*

117. Attached hereto as Exhibit 115 is a true and correct copy of Bates Number PCPC_MDL00031934. *(filed under seal)*

118. Attached hereto as Exhibit 116 is a true and correct copy of Bates Number JNJ000001403. *(filed under seal)*

119. Attached hereto as Exhibit 117 is a true and correct copy of Bates Number JNJ000046271. *(filed under seal)*

120. Attached hereto as Exhibit 118 is a true and correct copy of Bates Number PCPC0075364. *(filed under seal)*

121. Attached hereto as Exhibit 119 is a true and correct copy of Bates Number JNJ000240311.

122. Attached hereto as Exhibit 120 is a true and correct copy of Bates Number IMERYS288570. *(filed under seal)*

123. Attached hereto as Exhibit 121 is a true and correct copy of Bates Number PCPC_MDL00032703. *(filed under seal)*

124. Attached hereto as Exhibit 122 is a true and correct copy of Bates Number PCPC_MDL00145227. *(filed under seal)*

125. Attached hereto as Exhibit 123 is a true and correct copy of Bates Number JNJ000023733. *(filed under seal)*

126. Attached hereto as Exhibit 124 is a true and correct copy of Bates Number JNJ000404511. *(filed under seal)*

127. Attached hereto as Exhibit 125 is a true and correct copy of Bates Number
PCPC0082507. *(filed under seal)*

128. Attached hereto as Exhibit 126 is a true and correct copy of Bates Number
JNJ000240488. *(filed under seal)*

129. Attached hereto as Exhibit 127 is a true and correct copy of Bates Number
PCPC_MDL00031778. *(filed under seal)*

130. Attached hereto as Exhibit 128 is a true and correct copy of Bates Number
PCPC_MDL00031693. *(filed under seal)*

131. Attached hereto as Exhibit 129 is a true and correct copy of Bates Number
PCPC_MDL00010473. *(filed under seal)*

132. Attached hereto as Exhibit 130 is a true and correct copy of Bates Number
PCPC_MDL00007847. *(filed under seal)*

133. I certify that the foregoing statements made by me are true. I am aware that if any
of the foregoing statements made by me are willfully false, I may be subject to punishment.

Dated: June 8, 2020

/s/ Michelle A. Parfitt
Michelle A. Parfitt